

Schultz & Associates, P.C.

ATTORNEYS AND COUNSELORS

One Lincoln Centre • 5400 LBJ Freeway, Suite 525 • Dallas, TX 75240 • Ph: 214.210.5940 • Fax: 214.210.5941 • www.grspc.com

December 21, 2004



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U. S. Continuation Patent Application No. 10/734,461
"Method and Device for Preventing Pets from Clawing Home Furnishings"
Atty. Docket: 31960.0104

Sir:

Enclosed for filing are the following documents:

1. Response to Office Action;
2. Transmittal letter (in duplicate);
3. Certificate of Mailing; and
4. A postcard receipt.

The Commissioner is hereby authorized to charge any underpayment of fees, or credit any overpayment, to Deposit Account No. 50-2225.

Very truly yours,

George "Russ" Schultz

A handwritten signature in black ink, appearing to read "George 'Russ' Schultz".

GRS:slc
Enclosure



Attorney Docket No. 31960.0104
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **PEMBERTON, ET AL.**
Serial No.: **10/734,461**
Filing Date: **December 12, 2003**
Title: **METHOD AND DEVICE FOR PREVENTING PETS FROM CLAWING HOME FURNISHINGS**

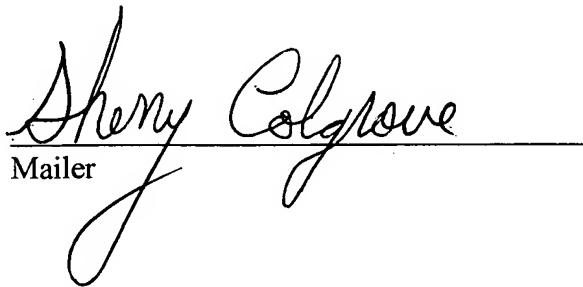
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

The undersigned hereby certifies that the following documents:

1. Response to Office Action;
2. Transmittal letter (in duplicate);
3. Certificate of Mailing; and
4. A postcard receipt.

relating to the above application, were deposited as First Class Mail with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **December 21, 2004**.



Sherry Colgrove
Mailer

JFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PEMBERTON ET AL.

Serial No.: 10/734,461

Filed: 12/12/2003

For: "Method and Device for Preventing Pets from Clawing Home Furnishings"

Examiner: Jerry A. Lorendo

Art Unit: 1734

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This Response is responsive to the Office Action mailed on November 26, 2004. Applicant believes that there is no fee due. However, the Examiner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2225.

The Examiner has required restriction under 35 U.S.C. §121 to one of the following:

Invention I: -- Claims 1-4, 7-15 and 42-45, drawn to a device for the deterrence of pets from scratching or digging, classified in class 428, subclass 40.1.